

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK**

In re: JOSEPH G. KELLEY CONSTRUCTION MANAG § Case No. 8-16-70246-LAS

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Debtor(s)

**CHAPTER 7 TRUSTEE'S FINAL ACCOUNT AND DISTRIBUTION  
REPORT CERTIFICATION THAT THE ESTATE HAS BEEN FULLY ADMINISTERED  
AND APPLICATION TO BE DISCHARGED (TDR)**

ROBERT PRYOR , TRUSTEE, chapter 7 trustee, submits this Final Account, Certification that the Estate has been Fully Administered and Application to be Discharged.

1) All funds on hand have been distributed in accordance with the Trustee's Final Report and, if applicable, any order of the Court modifying the Final Report. The case is fully administered and all assets and funds which have come under the trustee's control in this case have been properly accounted for as provided by law. The trustee hereby requests to be discharged from further duties as a trustee.

2) A summary of assets abandoned, assets exempt, total distributions to claimants, claims discharged without payment, and expenses of administration is provided below:

Assets Abandoned: <u>\$39,000.00</u> <i>(without deducting any secured claims)</i>	Assets Exempt: <u>N/A</u>
Total Distribution to Claimants: <u>\$39,139.79</u>	Claims Discharged Without Payment: <u>N/A</u>
Total Expenses of Administration: <u>\$75,960.21</u>	

3) Total gross receipts of \$ 115,100.00 (see **Exhibit 1** ), minus funds paid to the debtor and third parties of \$ 0.00 (see **Exhibit 2** ), yielded net receipts of \$115,100.00 from the liquidation of the property of the estate, which was distributed as follows:

	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
SECURED CLAIMS (from <b>Exhibit 3</b> )	\$254,712.00	\$0.00	\$0.00	\$0.00
PRIORITY CLAIMS: CHAPTER 7 ADMIN. FEES AND CHARGES (from <b>Exhibit 4</b> )	0.00	91,917.10	75,960.21	75,960.21
PRIOR CHAPTER ADMIN. FEES AND CHARGES (from <b>Exhibit 5</b> )	0.00	0.00	0.00	0.00
PRIORITY UNSECURED CLAIMS (from <b>Exhibit 6</b> )	0.00	470.37	470.37	470.37
GENERAL UNSECURED CLAIMS (from <b>Exhibit 7</b> )	1,956,633.05	707,486.26	699,669.46	38,669.42
<b>TOTAL DISBURSEMENTS</b>	\$2,211,345.05	\$799,873.73	\$776,100.04	\$115,100.00

4) This case was originally filed under Chapter 7 on January 21, 2016.  
The case was pending for 61 months.

5) All estate bank statements, deposit slips, and canceled checks have been submitted to the United States Trustee.

6) An individual estate property record and report showing the final accounting of the assets of the estate is attached as **Exhibit 8**. The cash receipts and disbursements records for each estate bank account, showing the final accounting of the receipts and disbursements of estate funds is attached as **Exhibit 9**.

Pursuant to Fed R Bank P 5009, I hereby certify, under penalty of perjury, that the foregoing report is true and correct.

Dated: 03/01/2021 By: /s/ROBERT PRYOR, TRUSTEE  
Trustee

**STATEMENT:** This Uniform Form is associated with an open bankruptcy case, therefore, Paperwork Reduction Act exemption 5 C.F.R. § 1320.4(a)(2) applies.

**EXHIBITS TO  
FINAL ACCOUNT**

**EXHIBIT 1 –GROSS RECEIPTS**

DESCRIPTION	UNIFORM TRAN. CODE <sup>1</sup>	\$ AMOUNT RECEIVED
Adversary Proceeding	1249-000	2,100.00
Settlement with American Express Order 12/19/16	1249-000	27,500.00
Adversary Proceeding 16-8135 Beta order 9/28/17	1249-000	10,000.00
Adversary Pro. 16-8134 Benula Order 9/26/17	1249-000	23,500.00
Adversary Proceeding ,18-8009 v Joseph Kelley	1249-000	26,000.00
Adversary Proceeding .Seth Kelley 18-08010	1249-000	26,000.00
<b>TOTAL GROSS RECEIPTS</b>		<b>\$115,100.00</b>

<sup>1</sup>The Uniform Transaction Code is an accounting code assigned by the trustee for statistical reporting purposes.

**EXHIBIT 2 –FUNDS PAID TO DEBTOR & THIRD PARTIES**

PAYEE	DESCRIPTION	UNIFORM TRAN. CODE	\$ AMOUNT PAID
	None		
<b>TOTAL FUNDS PAID TO DEBTOR AND THIRD PARTIES</b>			<b>\$0.00</b>

**EXHIBIT 3 –SECURED CLAIMS**

CLAIM NO.	CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED (from Form 6D)	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
NOTFILED	Dell Computers	4110-000	4,712.00	N/A	N/A	0.00
NOTFILED	The Suffolk County Nat'l	4110-000	250,000.00	N/A	N/A	0.00
<b>TOTAL SECURED CLAIMS</b>			<b>\$254,712.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>

**EXHIBIT 4 –CHAPTER 7 ADMINISTRATIVE FEES and CHARGES**

<b>PAYEE</b>	<b>UNIFORM TRAN. CODE</b>	<b>CLAIMS SCHEDULED</b>	<b>CLAIMS ASSERTED</b>	<b>CLAIMS ALLOWED</b>	<b>CLAIMS PAID</b>
Trustee Compensation - ROBERT PRYOR , TRUSTEE	2100-000	N/A	9,005.00	9,005.00	9,005.00
Clerk of the Court Costs (includes adversary and other filing fees) - Clerk	2700-000	N/A	1,400.00	1,400.00	1,400.00
Attorney for Trustee Fees (Trustee Firm) - PRYOR & MANDELUP, L.L.P.	3110-000	N/A	47,306.00	47,306.00	47,306.00
Attorney for Trustee Expenses (Trustee Firm) - PRYOR & MANDELUP, L.L.P.	3120-000	N/A	652.39	0.00	0.00
Accountant for Trustee Fees (Trustee Firm) - Gary Lampert, CPA	3310-000	N/A	30,609.00	15,304.50	15,304.50
Other - INTERNATIONAL SURETIES, LTD	2300-000	N/A	43.91	43.91	43.91
Other - INTERNATIONAL SURETIES, LTD	2300-000	N/A	7.98	7.98	7.98
Other - Rabobank, N.A.	2600-000	N/A	10.00	10.00	10.00
Other - Rabobank, N.A.	2600-000	N/A	42.15	42.15	42.15
Other - NYS Corporation Tax	2820-000	N/A	25.00	25.00	25.00
Other - Rabobank, N.A.	2600-000	N/A	36.82	36.82	36.82
Other - Rabobank, N.A.	2600-000	N/A	40.69	40.69	40.69
Other - United States Treasury	2820-000	N/A	100.00	100.00	100.00
Other - Rabobank, N.A.	2600-000	N/A	36.62	36.62	36.62
Other - Rabobank, N.A.	2600-000	N/A	43.03	43.03	43.03
Other - Rabobank, N.A.	2600-000	N/A	39.06	39.06	39.06
Other - United States Treasury	2820-000	N/A	100.00	100.00	100.00
Other - Rabobank, N.A.	2600-000	N/A	37.68	37.68	37.68
Other - Rabobank, N.A.	2600-000	N/A	42.69	42.69	42.69
Other - Rabobank, N.A.	2600-000	N/A	40.66	40.66	40.66
Other - Rabobank, N.A.	2600-000	N/A	59.73	59.73	59.73
Other - Rabobank, N.A.	2600-000	N/A	69.51	69.51	69.51
Other - Rabobank, N.A.	2600-000	N/A	72.15	72.15	72.15
Other - INTERNATIONAL SURETIES, LTD	2300-000	N/A	22.99	22.99	22.99
Other - NYS Corporation Tax	2820-000	N/A	25.00	25.00	25.00
Other - Rabobank, N.A.	2600-000	N/A	81.96	81.96	81.96
Other - Rabobank, N.A.	2600-000	N/A	69.40	69.40	69.40
Other - Rabobank, N.A.	2600-000	N/A	74.25	74.25	74.25
Other - Rabobank, N.A.	2600-000	N/A	71.67	71.67	71.67
Other - Rabobank, N.A.	2600-000	N/A	93.49	93.49	93.49

Other - Rabobank, N.A.	2600-000	N/A	83.08	83.08	83.08
Other - Rabobank, N.A.	2600-000	N/A	91.55	91.55	91.55
Other - Rabobank, N.A.	2600-000	N/A	88.55	88.55	88.55
Other - Rabobank, N.A.	2600-000	N/A	45.63	45.63	45.63
Other - Rabobank, N.A.	2600-000	N/A	53.74	53.74	53.74
Other - INTERNATIONAL SURETIES, LTD	2300-000	N/A	30.18	30.18	30.18
Other - NYS Corporation Tax	2820-000	N/A	25.00	25.00	25.00
Other - NYS Corporation Tax	2820-000	N/A	25.00	25.00	25.00
Other - Mechanics Bank	2600-000	N/A	90.60	90.60	90.60
Other - Mechanics Bank	2600-000	N/A	181.06	181.06	181.06
Other - Mechanics Bank	2600-000	N/A	174.74	174.74	174.74
Other - Mechanics Bank	2600-000	N/A	192.52	192.52	192.52
Other - Mechanics Bank	2600-000	N/A	186.19	186.19	186.19
Other - NYS Corporation Tax	2820-000	N/A	25.00	25.00	25.00
Other - Mechanics Bank	2600-000	N/A	173.88	173.88	173.88
Other - Mechanics Bank	2600-000	N/A	191.55	191.55	191.55
<b>TOTAL CHAPTER 7 ADMIN. FEES AND CHARGES</b>		N/A	\$91,917.10	\$75,960.21	\$75,960.21

**EXHIBIT 5 –PRIOR CHAPTER ADMINISTRATIVE FEES and CHARGES**

PAYEE	UNIFORM TRAN. CODE	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
None					
<b>TOTAL PRIOR CHAPTER ADMIN. FEES AND CHARGES</b>		N/A	\$0.00	\$0.00	\$0.00

**EXHIBIT 6 –PRIORITY UNSECURED CLAIMS**

CLAIM NO.	CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED (from Form 6E)	CLAIMS ASSERTED (from Proofs of Claim)	CLAIMS ALLOWED	CLAIMS PAID
9	NYS Dept. Taxation & Finance	5800-000	N/A	470.37	470.37	470.37
<b>TOTAL PRIORITY UNSECURED CLAIMS</b>			\$0.00	\$470.37	\$470.37	\$470.37

**EXHIBIT 7 –GENERAL UNSECURED CLAIMS**

CLAIM NO.	CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED (from Form 6F)	CLAIMS ASSERTED (from Proofs of Claim)	CLAIMS ALLOWED	CLAIMS PAID
1	NYS Dept of Labor	7100-000	N/A	N/A	0.00	0.00
2	D.L. Talmage	7100-000	6,470.00	7,816.80	0.00	0.00
2 -2	D.L. Talmage	7100-000	13,937.46	7,816.80	7,816.80	432.03
3	Designer Glass Solutions, LLC	7100-000	93,907.86	30,551.15	30,551.15	1,688.50
4	Kevin Harrington Plumbing	7100-000	47,031.05	23,456.05	23,456.05	1,296.37
5	Ferra Designs, Inc.	7100-000	80,329.00	47,477.00	47,477.00	2,623.96
6	Robert Sahn	7100-000	559,048.10	559,048.10	559,048.10	30,897.54
7	S & P Carting Service, Inc.	7100-000	26,423.80	17,221.83	17,221.83	951.82
8	The State Insurance Fund Att: Bankruptcy Unit	7100-000	9,000.00	9,098.53	9,098.53	502.86
10	American Express Bank, FSB	7100-000	N/A	5,000.00	5,000.00	276.34
NOTFILED	Lynn, Gartner, Dunne & Covello	7100-000	315,895.12	N/A	N/A	0.00
NOTFILED	Seth Kelley	7100-000	279,695.27	N/A	N/A	0.00
NOTFILED	KGS LLP	7100-000	16,975.00	N/A	N/A	0.00
NOTFILED	Luis Bermeo Masonry, Inc.	7100-000	8,883.00	N/A	N/A	0.00
NOTFILED	LGP Foundations, Inc	7100-000	16,531.00	N/A	N/A	0.00
NOTFILED	Lance Nill, Inc	7100-000	3,200.00	N/A	N/A	0.00
NOTFILED	Merchants Insurance Group	7100-000	478.25	N/A	N/A	0.00
NOTFILED	Westhampton Architectural Glass, Inc.	7100-000	43,144.00	N/A	N/A	0.00
NOTFILED	Lowell Electrical Contracting	7100-000	53,741.92	N/A	N/A	0.00
NOTFILED	Liberty Iron Works	7100-000	8,038.25	N/A	N/A	0.00
NOTFILED	TSG Reporting	7100-000	11,013.85	N/A	N/A	0.00
NOTFILED	Network Solutions & Training	7100-000	390.60	N/A	N/A	0.00
NOTFILED	Radiant Drywall & Insulation	7100-000	7,640.00	N/A	N/A	0.00
NOTFILED	Tebbens Steel, LLC	7100-000	37,471.30	N/A	N/A	0.00
NOTFILED	Saskas Surveying Company, P.C	7100-000	1,425.00	N/A	N/A	0.00
NOTFILED	RA Ehasz Giacalone Architects/Louis Giacalone	7100-000	12,200.00	N/A	N/A	0.00
NOTFILED	Quality Air Care Cleaning	7100-000	3,454.28	N/A	N/A	0.00
NOTFILED	Quality In Marble Granite	7100-000	23,502.00	N/A	N/A	0.00
NOTFILED	TQ Mason House, Inc.	7100-000	2,425.00	N/A	N/A	0.00
NOTFILED	NSW Construction Management	7100-000	10,453.05	N/A	N/A	0.00

NOTFILED	Joseph Kelley	7100-000	92,491.29	N/A	N/A	0.00
NOTFILED	North Fork Water Supply Co	7100-000	92.58	N/A	N/A	0.00
NOTFILED	J & G Hardwood Flooring	7100-000	14,932.75	N/A	N/A	0.00
NOTFILED	Bennett & Read, LLP	7100-000	4,480.00	N/A	N/A	0.00
NOTFILED	Applied Lightning Safety Group	7100-000	4,600.00	N/A	N/A	0.00
NOTFILED	Jakubowski, Robertson, Maffei	7100-000	31,930.00	N/A	N/A	0.00
NOTFILED	JSA Service Corp	7100-000	1,775.00	N/A	N/A	0.00
NOTFILED	James Electric, Inc	7100-000	32,498.02	N/A	N/A	0.00
NOTFILED	J. GIBSON McILVAIN CO.	7100-000	28,541.23	N/A	N/A	0.00
NOTFILED	Home Technology Experts	7100-000	28,566.88	N/A	N/A	0.00
NOTFILED	Imperial Gunitite, Inc	7100-000	10,400.00	N/A	N/A	0.00
NOTFILED	Call-A-Head	7100-000	663.48	N/A	N/A	0.00
NOTFILED	Hamptons Roll Off, Inc.	7100-000	450.00	N/A	N/A	0.00
NOTFILED	Cassone Leasing, Inc	7100-000	461.66	N/A	N/A	0.00
NOTFILED	JT Mechanical Services, LLC	7100-000	12,046.00	N/A	N/A	0.00
<b>TOTAL GENERAL UNSECURED CLAIMS</b>			\$1,956,633.05	\$707,486.26	\$699,669.46	\$38,669.42

# Form 1

## Individual Estate Property Record and Report

### Asset Cases

**Case Number:** 8-16-70246-LAS**Trustee:** (520570) ROBERT PRYOR , TRUSTEE**Case Name:** JOSEPH G. KELLEY CONSTRUCTION MANAG**Filed (f) or Converted (c):** 01/21/16 (f)**§341(a) Meeting Date:** 02/23/16**Period Ending:** 03/01/21**Claims Bar Date:** 08/10/16

1 Asset Description (Scheduled And Unscheduled (u) Property) Ref. #	2 Petition/ Unscheduled Values	3 Estimated Net Value (Value Determined By Trustee, Less Liens, Exemptions, and Other Costs)	4 Property Abandoned OA=\$554(a)	5 Sale/Funds Received by the Estate	6 Asset Fully Administered (FA)/ Gross Value of Remaining Assets
1 2005 porsche 911. Valuation Method:	24,000.00	0.00		0.00	FA
2 A/R 90 days old or less. Face amount = \$10000. D	10,000.00	0.00		0.00	FA
3 Used computers, 1 printer, and other miscellaneo	3,500.00	0.00		0.00	FA
4 Office Furniture	1,500.00	0.00		0.00	FA
5 VOID	0.00	0.00		0.00	FA
6 VOID	0.00	0.00		0.00	FA
7 Settlement with American Express Order 12/19/16 (u)	27,500.00	27,500.00		27,500.00	FA
8 Adversary Proceeding 16-8135 Beta order 9/28/17 (u)	10,000.00	10,000.00		10,000.00	FA
9 Adversary Pro. 16-8134 Benula Order 9/26/17 (u)	23,500.00	23,500.00		23,500.00	FA
10 Adversary Proceeding , 18-8009 v Joseph Kelley (u)	26,000.00	0.00		26,000.00	FA
11 Adversary Proceeding .Seth Kelley 18-08010 (u)	26,000.00	0.00		26,000.00	FA
<b>11 Assets Totals (Excluding unknown values)</b>	<b>\$152,000.00</b>	<b>\$61,000.00</b>		<b>\$113,000.00</b>	<b>\$0.00</b>

**Major Activities Affecting Case Closing:**

August 3, 2020 An Order was signed regarding an objection to a major claim. After the tax return passes the 60 days determination, we may do a fee application.

June 18, 2020 Tax return signed by Bob and sent to Gary Lampert. June 5, 2020 Sent Gary Lampert form 2 so he could prepare a tax return. May 28, 2020 Anthony is objecting to a very large claim. December 4, 2019 Waiting for the last payment of \$2100 from the Kelley adversary proceeding then this case will be ready to close.

ANTHONY'S CASE July 23, 2019 Anthony Giuliano wrote and sent a letter to Mr. Rocco about Sean Kelleys delinquency.

July 22, 2019 Seth Kelley is now not complaint with terms of the adversary proceeding. He is in default by \$8400.00. Had a conference with Anthony Giuliano about what to do to let attorney Cavaleiere help with the terms of the December Settlement. May 14, 2019 Debtor is compliant with the terms of the stipulation.

January 11, 2019 Debtors are compliant with terms of the stipulation.

November 13, 2018 The hearing will take place on December 20, 2018. ---- Waiting for a stipulation to be signed in order that we can receive funds from Joseph Kelley in the amount of \$26,000.

and Seth Kelley in the amount of \$26,000.

October 18, 2018 Investigating a fraudulent conveyance.

June 5, 2018 Adversary Proceeding pending to recover fraudulent conveyance.

November 20, 2017 Continuing to collect on Beta and Benula settlements September 13, 2017 Tax returns were received by this office and mailed to Gary Lampert accountant to the Trustee.

May 15, 2017 Waiting to get information on his tax returns which he did not keep.

April 3, 2017 Mailed in a request for past tax returns for previous years. The Debtor or his accountant were unable to find his returns.

March 27, 2017 Gary Lampert is trying to prepare tax returns. The Debtor says he is not in possession of his old tax returns.

November 30, 2016 There is an offer for one of the preferance actions.



# Form 1

## Individual Estate Property Record and Report

### Asset Cases

**Case Number:** 8-16-70246-LAS**Trustee:** (520570) ROBERT PRYOR , TRUSTEE**Case Name:** JOSEPH G. KELLEY CONSTRUCTION MANAG**Filed (f) or Converted (c):** 01/21/16 (f)**§341(a) Meeting Date:** 02/23/16**Period Ending:** 03/01/21**Claims Bar Date:** 08/10/16

1	2	3	4	5	6
Asset Description (Scheduled And Unscheduled (u) Property)	Petition/ Unscheduled Values	Estimated Net Value (Value Determined By Trustee, Less Liens, Exemptions, and Other Costs)	Property <u>Abandoned</u> OA=\$554(a)	Sale/Funds Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets
Ref. #					

September 6, 2016 There is a possible preference action.

June 9, 2016 Trustee's accountant is preparing potential avoidance report for the Trustee.

February 25, 2016 Joseph G. Kelly Construction Management 16-70246-LAS – First we need to retain an accountant. Bob has spoken to Gary Lampert about the case. We have the flashdrive which allegedly has all the Quickbook records and Article 3A records. These need to be downloaded and reviewed. Debtor gave us keys to a storage facility which has a certain limited amount of machinery and equipment there as well as the books and records, so we may need to go there with (a) an auctioneer, and (b) Gary Lampert so he can take the books and records that he believes are necessary or useful.

The Debtor's bankruptcy was precipitated by a project that was being worked on for Robert Sahn. Mr. Sahn claimed there were massive construction management overcharges and an arbitration was conducted at which time Mr. Sahn's allegations were confirmed. He now has a judgment for I believe in excess of \$500,000.00. I am told that the first dollars taken on each requisition on Mr. Sahn's job were paid to the Kellys for their construction management services with respect to the project. The issue there is whether or not the takedown of those funds violates Article 3A as they were not laborers directly working on the project and really their fees were in the nature of general and administrative. It would appear that a law suit might be brought to recover those funds as being in violation of Article 3A and I suppose that's done in a representative capacity, but we have to ascertain that we have standing. It is possible Andy can offer some guidance because he has a case pending right now involving these types of construction issues.

The Statement of Financial Affairs identifies a series of payments made within the 90 day period prior to bankruptcy. We have to determine whether or not a Trustee can recover these in light of the potential Article 3A implication. It may be that a result of the Sahn arbitration award was that there were substantial shortfalls in the job and therefore there were insufficient funds to cover all the Article 3A claims and thus notwithstanding the fact that the Defendants may have the right to assert Article 3A status, the value of their 3A claims is not equal to the amounts that they were paid. Obviously there may be some new value issues as well to the extent they continued to work on the projects.

One of the principals of the Debtor, the son Seth Kelly has formed a new business called Curated Construction LLC, which works for certain of the customers of Joseph G. Kelly Construction Management but he claims that these contracts were not entered into during the existence of Joseph G. Kelley Construction Management but rather when he formed his new business. We can take discovery to determine when those contracts were entered into and when he began working on them. Seth Kelly has also cosigned a Porsche vehicle obligation which he claims he is paying income tax on 90% of those monthly payments on the vehicle. We should look at this as well. I guess the first step is to get us retained and to get Lampert retained and then we can figure out: (a) getting the books and records, (b) getting the assets located at the storage facility, and (c) making a demand for information.

**Initial Projected Date Of Final Report (TFR):** March 30, 2016**Current Projected Date Of Final Report (TFR):** November 6, 2020 (Actual)

## Form 2

### Cash Receipts And Disbursements Record

**Case Number:** 8-16-70246-LAS  
**Case Name:** JOSEPH G. KELLEY CONSTRUCTION MANAG

**Trustee:** ROBERT PRYOR , TRUSTEE (520570)  
**Bank Name:** Mechanics Bank  
**Account:** \*\*\*\*\*9666 - Checking Account  
**Blanket Bond:** \$42,742,595.00 (per case limit)  
**Separate Bond:** N/A

**Taxpayer ID #:** \*\*-\*\*\*2410  
**Period Ending:** 03/01/21

1 Trans. Date	2 {Ref #} / Check #	3 Paid To / Received From	4 Description of Transaction	T-Code	5 Receipts \$	6 Disbursements \$	7 Checking Account Balance
12/27/16	{7}	American Express TRS Company	SETTLEMENT	1249-000	27,500.00		27,500.00
12/29/16	101	INTERNATIONAL SURETIES, LTD	BOND PREMIUM PAYMENT ON LEDGER BALANCE AS OF 12/29/2016 FOR CASE #16-70246, 016027942 Voided on 12/30/16	2300-004		6.33	27,493.67
12/30/16	101	INTERNATIONAL SURETIES, LTD	BOND PREMIUM PAYMENT ON LEDGER BALANCE AS OF 12/29/2016 FOR CASE #16-70246, 016027942 Voided: check issued on 12/29/16	2300-004		-6.33	27,500.00
12/30/16	102	INTERNATIONAL SURETIES, LTD	BOND PREMIUM PAYMENT ON LEDGER BALANCE AS OF 12/30/2016 FOR CASE #16-70246, Invoice # Bond#016027942 01/01/17 to 01/01/18 Voided on 12/30/16	2300-004		7.98	27,492.02
12/30/16	102	INTERNATIONAL SURETIES, LTD	BOND PREMIUM PAYMENT ON LEDGER BALANCE AS OF 12/30/2016 FOR CASE #16-70246, Invoice # Bond#016027942 01/01/17 to 01/01/18 Voided: check issued on 12/30/16	2300-004		-7.98	27,500.00
12/30/16	103	INTERNATIONAL SURETIES, LTD	BOND PREMIUM PAYMENT ON LEDGER BALANCE AS OF 12/30/2016 FOR CASE #16-70246, Bond#016027942 Voided on 12/30/16	2300-004		7.98	27,492.02
12/30/16	103	INTERNATIONAL SURETIES, LTD	BOND PREMIUM PAYMENT ON LEDGER BALANCE AS OF 12/30/2016 FOR CASE #16-70246, Bond#016027942 Voided: check issued on 12/30/16	2300-004		-7.98	27,500.00
12/30/16	104	INTERNATIONAL SURETIES, LTD	BOND PREMIUM PAYMENT ON LEDGER BALANCE AS OF 12/30/2016 FOR CASE #16-70246, Bond#016027942	2300-000		7.98	27,492.02
12/30/16		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		10.00	27,482.02
01/31/17		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		42.15	27,439.87
02/07/17	105	NYS Corporation Tax	CT-3S 2016	2820-000		25.00	27,414.87
02/28/17		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		36.82	27,378.05
03/31/17		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		40.69	27,337.36
04/03/17	106	United States Treasury	form 4506 request	2820-000		100.00	27,237.36
04/28/17		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		36.62	27,200.74
05/31/17		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		43.03	27,157.71
06/30/17		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		39.06	27,118.65

Subtotals :                      \$27,500.00                      \$381.35

## Form 2

### Cash Receipts And Disbursements Record

**Case Number:** 8-16-70246-LAS  
**Case Name:** JOSEPH G. KELLEY CONSTRUCTION MANAG

**Trustee:** ROBERT PRYOR , TRUSTEE (520570)  
**Bank Name:** Mechanics Bank  
**Account:** \*\*\*\*\*9666 - Checking Account  
**Blanket Bond:** \$42,742,595.00 (per case limit)  
**Separate Bond:** N/A

**Taxpayer ID #:** \*\*-\*\*\*2410  
**Period Ending:** 03/01/21

1 Trans. Date	2 {Ref #} / Check #	3 Paid To / Received From	4 Description of Transaction	T-Code	5 Receipts \$	6 Disbursements \$	7 Checking Account Balance
07/14/17	107	United States Treasury	form 4506 Request	2820-000		100.00	27,018.65
07/31/17		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		37.68	26,980.97
08/31/17		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		42.69	26,938.28
09/29/17		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		40.66	26,897.62
10/31/17		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		59.73	26,837.89
11/30/17		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		69.51	26,768.38
12/29/17		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		72.15	26,696.23
01/03/18	108	INTERNATIONAL SURETIES, LTD	BOND PREMIUM PAYMENT ON LEDGER BALANCE AS OF 12/31/2017 FOR CASE #16-70246, Bond#16027942 Term 01/01/18-01/01/19	2300-000		22.99	26,673.24
01/31/18		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		81.96	26,591.28
02/28/18		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		69.40	26,521.88
03/30/18		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		74.25	26,447.63
04/30/18		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		71.67	26,375.96
01/03/19	109	INTERNATIONAL SURETIES, LTD	BOND PREMIUM PAYMENT ON LEDGER BALANCE AS OF 01/03/2019 FOR CASE #16-70246	2300-000		30.18	26,345.78
01/03/19	110	INTERNATIONAL SURETIES, LTD	BOND PREMIUM PAYMENT ON LEDGER BALANCE AS OF 01/03/2019 FOR CASE #16-70246 Voided on 01/04/19	2300-004		30.18	26,315.60
01/03/19	111	INTERNATIONAL SURETIES, LTD	BOND PREMIUM PAYMENT ON LEDGER BALANCE AS OF 01/03/2019 FOR CASE #16-70246 Voided on 01/04/19	2300-004		30.18	26,285.42
01/04/19	110	INTERNATIONAL SURETIES, LTD	BOND PREMIUM PAYMENT ON LEDGER BALANCE AS OF 01/03/2019 FOR CASE #16-70246 Voided: check issued on 01/03/19	2300-004		-30.18	26,315.60
01/04/19	111	INTERNATIONAL SURETIES, LTD	BOND PREMIUM PAYMENT ON LEDGER BALANCE AS OF 01/03/2019 FOR CASE #16-70246 Voided: check issued on 01/03/19	2300-004		-30.18	26,345.78
01/09/19	{10}	Joseph G. Kelley	Payment #1; Settlement	1249-000	5,250.00		31,595.78
01/29/19	{10}	Joseph G. Kelley	Payment #2; Settlement	1249-000	5,250.00		36,845.78
02/07/19	{11}	Seth Kelley	Payment #1; Settlement Adversary Proceeding	1249-000	2,100.00		38,945.78
02/07/19	{11}	Seth Kelley	Payment #2; Settlement Adversary	1249-000	2,100.00		41,045.78

Subtotals : \$14,700.00 \$772.87

## Form 2

### Cash Receipts And Disbursements Record

**Case Number:** 8-16-70246-LAS  
**Case Name:** JOSEPH G. KELLEY CONSTRUCTION MANAG

**Trustee:** ROBERT PRYOR , TRUSTEE (520570)  
**Bank Name:** Mechanics Bank  
**Account:** \*\*\*\*\*9666 - Checking Account  
**Blanket Bond:** \$42,742,595.00 (per case limit)  
**Separate Bond:** N/A

**Taxpayer ID #:** \*\*-\*\*\*2410  
**Period Ending:** 03/01/21

1 Trans. Date	2 {Ref #} / Check #	3 Paid To / Received From	4 Description of Transaction	T-Code	5 Receipts \$	6 Disbursements \$	7 Checking Account Balance
			Proceeding				
02/26/19		From old Account	Non-Escrowed Funds	9999-000	43,018.96		84,064.74
03/05/19	{10}	Joseph G. Kelley	Payment #3, 4, 5	1249-000	5,250.00		89,314.74
03/05/19	112	NYS Corporation Tax	2018 CT-3S	2820-000		25.00	89,289.74
03/19/19	{11}	Seth J. Kelley	Payment #3	1249-000	2,100.00		91,389.74
07/19/19		From old Account		9999-000	5,250.00		96,639.74
08/01/19		Seth Kelley Wire	Payment #4, 5, 6, 7; Seth Kelley Wire		8,400.00		105,039.74
	{11}		Acct #9666; Payment #4; 2,100.00 Seth Kelley Wire	1249-000			105,039.74
	{11}		Acct #9666; Payment #5; 2,100.00 Seth Kelley Wire	1249-000			105,039.74
	{11}		Acct #9666; Payment #6; 2,100.00 Seth Kelley Wire	1249-000			105,039.74
	{11}		Acct #9666; Payment #7; 2,100.00 Seth Kelley Wire	1249-000			105,039.74
09/27/19	{11}	Seth Kelley Wire	Payment #8	1249-000	2,100.00		107,139.74
10/11/19		Seth Kelley Wire	Adversary Proceeding	1249-000	2,100.00		109,239.74
11/08/19	{11}	J. P. Morgan Chase	Payment #9; Adversary Proceeding--Incoming Wire	1249-000	2,100.00		111,339.74
01/08/20	113	INTERNATIONAL SURETIES, LTD	BOND PREMIUM PAYMENT ON LEDGER BALANCE AS OF 01/08/2020 FOR CASE #16-70246, 01/01/20-01/01/21 blanket bond	2300-000		43.91	111,295.83
01/24/20	{11}	Curated Construction LLC	Payment #10; Settlement	1249-000	2,100.00		113,395.83
02/21/20	114	NYS Corporation Tax	CT-5.4 2019	2820-000		25.00	113,370.83
03/31/20		Mechanics Bank	Bank and Technology Services Fee	2600-000		90.60	113,280.23
04/30/20		Mechanics Bank	Bank and Technology Services Fee	2600-000		181.06	113,099.17
05/29/20		Mechanics Bank	Bank and Technology Services Fee	2600-000		174.74	112,924.43
06/30/20		Mechanics Bank	Bank and Technology Services Fee	2600-000		192.52	112,731.91
07/31/20		Mechanics Bank	Bank and Technology Services Fee	2600-000		186.19	112,545.72
08/12/20	115	NYS Corporation Tax	2020 CT-3S NYS Corporation	2820-000		25.00	112,520.72
08/31/20		Mechanics Bank	Bank and Technology Services Fee	2600-000		173.88	112,346.84
09/30/20		Mechanics Bank	Bank and Technology Services Fee	2600-000		191.55	112,155.29
12/16/20	116	PRYOR & MANDELUP, L.L.P.	Dividend paid 100.00% on \$47,306.00, Attorney for Trustee Fees (Trustee Firm); Reference:	3110-000		47,306.00	64,849.29
12/16/20	117	Gary Lampert, CPA	Dividend paid 100.00% on \$15,304.50, Accountant for Trustee Fees (Trustee Firm); Reference:	3310-000		15,304.50	49,544.79

Subtotals : \$72,418.96 \$63,919.95

## Form 2

### Cash Receipts And Disbursements Record

**Case Number:** 8-16-70246-LAS  
**Case Name:** JOSEPH G. KELLEY CONSTRUCTION MANAG

**Trustee:** ROBERT PRYOR , TRUSTEE (520570)  
**Bank Name:** Mechanics Bank  
**Account:** \*\*\*\*\*9666 - Checking Account  
**Blanket Bond:** \$42,742,595.00 (per case limit)  
**Separate Bond:** N/A

**Taxpayer ID #:** \*\*-\*\*\*2410  
**Period Ending:** 03/01/21

1 Trans. Date	2 {Ref #} / Check #	3 Paid To / Received From	4 Description of Transaction	T-Code	5 Receipts \$	6 Disbursements \$	7 Checking Account Balance
12/16/20	118	Clerk of the Court	Dividend paid 100.00% on \$1,400.00, Clerk of the Court Costs (includes adversary and other filing fees); Reference:	2700-000		1,400.00	48,144.79
12/16/20	119	ROBERT PRYOR , TRUSTEE	Dividend paid 100.00% on \$9,005.00, Trustee Compensation; Reference:	2100-000		9,005.00	39,139.79
12/16/20	120	NYS Dept. Taxation & Finance	Dividend paid 100.00% on \$470.37; Claim# 9; Filed: \$470.37; Reference:	5800-000		470.37	38,669.42
12/16/20	121	D.L. Talmage	Dividend paid 5.52% on \$7,816.80; Claim# 2 -2; Filed: \$7,816.80; Reference:	7100-000		432.03	38,237.39
12/16/20	122	Designer Glass Solutions, LLC	Dividend paid 5.52% on \$30,551.15; Claim# 3; Filed: \$30,551.15; Reference:	7100-000		1,688.50	36,548.89
12/16/20	123	Kevin Harrington Plumbing	Dividend paid 5.52% on \$23,456.05; Claim# 4; Filed: \$23,456.05; Reference:	7100-000		1,296.37	35,252.52
12/16/20	124	Ferra Designs, Inc.	Dividend paid 5.52% on \$47,477.00; Claim# 5; Filed: \$47,477.00; Reference:	7100-000		2,623.96	32,628.56
12/16/20	125	Robert Sahn	Dividend paid 5.52% on \$559,048.10; Claim# 6; Filed: \$559,048.10; Reference:	7100-000		30,897.54	1,731.02
12/16/20	126	S & P Carting Service, Inc.	Dividend paid 5.52% on \$17,221.83; Claim# 7; Filed: \$17,221.83; Reference:	7100-000		951.82	779.20
12/16/20	127	The State Insurance Fund Att: Bankruptcy Unit	Dividend paid 5.52% on \$9,098.53; Claim# 8; Filed: \$9,098.53; Reference:	7100-000		502.86	276.34
12/16/20	128	American Express Bank, FSB	Dividend paid 5.52% on \$5,000.00; Claim# 10; Filed: \$5,000.00; Reference:	7100-000		276.34	0.00

<b>ACCOUNT TOTALS</b>	<b>114,618.96</b>	<b>114,618.96</b>	<b>\$0.00</b>
Less: Bank Transfers	48,268.96	0.00	
<b>Subtotal</b>	<b>66,350.00</b>	<b>114,618.96</b>	
Less: Payments to Debtors		0.00	
<b>NET Receipts / Disbursements</b>	<b>\$66,350.00</b>	<b>\$114,618.96</b>	

## Form 2

### Cash Receipts And Disbursements Record

**Case Number:** 8-16-70246-LAS  
**Case Name:** JOSEPH G. KELLEY CONSTRUCTION MANAG

**Trustee:** ROBERT PRYOR , TRUSTEE (520570)

**Bank Name:** Mechanics Bank

**Account:** \*\*\*\*\*9667 - Escrow Account

**Blanket Bond:** \$42,742,595.00 (per case limit)

**Separate Bond:** N/A

**Taxpayer ID #:** \*\*-\*\*\*2410

**Period Ending:** 03/01/21

1	2	3	4		5	6	7
Trans. Date	{Ref #} / Check #	Paid To / Received From	Description of Transaction	T-Code	Receipts \$	Disbursements \$	Checking Account Balance

(No Transactions on File for this Period)

<b>ACCOUNT TOTALS</b>	<b>0.00</b>	<b>0.00</b>	<b>\$0.00</b>
Less: Bank Transfers	0.00	0.00	
<b>Subtotal</b>	<b>0.00</b>	<b>0.00</b>	
Less: Payments to Debtors		0.00	
<b>NET Receipts / Disbursements</b>	<b>\$0.00</b>	<b>\$0.00</b>	

## Form 2

### Cash Receipts And Disbursements Record

**Case Number:** 8-16-70246-LAS  
**Case Name:** JOSEPH G. KELLEY CONSTRUCTION MANAG

**Trustee:** ROBERT PRYOR , TRUSTEE (520570)  
**Bank Name:** Mechanics Bank  
**Account:** \*\*\*\*\*9668 - Escrow Account  
**Blanket Bond:** \$42,742,595.00 (per case limit)  
**Separate Bond:** N/A

**Taxpayer ID #:** \*\*-\*\*\*2410  
**Period Ending:** 03/01/21

1 Trans. Date	2 {Ref #} / Check #	3 Paid To / Received From	4 Description of Transaction	T-Code	5 Receipts \$	6 Disbursements \$	7 Checking Account Balance
08/16/17	{8}	Tarbet & Lester PLLC	Adversary Proceeding 16-8135	1249-000	2,500.00		2,500.00
08/16/17	{9}	Tarbet & Lester	Adversary Proceeding 16-8134	1249-000	5,875.00		8,375.00
09/19/17	{8}	Tarbet & Lester PLLC	Settlement	1249-000	2,500.00		10,875.00
09/19/17	{9}	Tarbet & Lester PLLC	Settlement	1249-000	5,875.00		16,750.00
10/13/17	{8}	Tarbet & Lester	Settlement	1249-000	2,500.00		19,250.00
10/13/17	{9}	Tarbet and Lester	Settlement	1249-000	5,875.00		25,125.00
11/08/17	{9}	Tarbet & Lester PLLC	Benuala	1249-000	5,875.00		31,000.00
11/08/17	{8}	Tarbet & Lester	Beta	1249-000	2,500.00		33,500.00
02/06/18	20101	NYS Corporation Tax	2017 CT-3S NYS Corporation Tax	2820-000		25.00	33,475.00
05/31/18		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		93.49	33,381.51
06/29/18		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		83.08	33,298.43
07/31/18		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		91.55	33,206.88
08/31/18		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		88.55	33,118.33
09/28/18		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		45.63	33,072.70
10/31/18		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		53.74	33,018.96
11/05/18	{10}	Joseph Margaret Kelley	Acct #JOSEPH 6666; Payment #0; Adversary Pro. Joseph Kelley	1249-000	5,000.00		38,018.96
11/19/18	{11}	Seth Kelley	Payment #0; Adversary Proceeding Seth Kelley	1249-000	5,000.00		43,018.96
02/26/19		To Account new account	Non-Escrowed Funds	9999-000		43,018.96	0.00
04/01/19	{10}	Joseph G. Kelley	Acct #JOSEPH 6666; Payment #4	1249-000	5,250.00		5,250.00
07/19/19		To Mechanics Account		9999-000		5,250.00	0.00

<b>ACCOUNT TOTALS</b>	<b>48,750.00</b>	<b>48,750.00</b>	<b>\$0.00</b>
Less: Bank Transfers	0.00	48,268.96	
<b>Subtotal</b>	<b>48,750.00</b>	<b>481.04</b>	
Less: Payments to Debtors		0.00	
<b>NET Receipts / Disbursements</b>	<b>\$48,750.00</b>	<b>\$481.04</b>	

## Form 2

### Cash Receipts And Disbursements Record

**Case Number:** 8-16-70246-LAS  
**Case Name:** JOSEPH G. KELLEY CONSTRUCTION MANAG

**Trustee:** ROBERT PRYOR , TRUSTEE (520570)

**Bank Name:** Mechanics Bank

**Account:** \*\*\*\*\*9668 - Escrow Account

**Blanket Bond:** \$42,742,595.00 (per case limit)

**Separate Bond:** N/A

**Taxpayer ID #:** \*\*-\*\*\*2410

**Period Ending:** 03/01/21

1	2	3	4		5	6	7
Trans. Date	{Ref #} / Check #	Paid To / Received From	Description of Transaction	T-Code	Receipts \$	Disbursements \$	Checking Account Balance

Net Receipts : 115,100.00

Net Estate : \$115,100.00

TOTAL - ALL ACCOUNTS	Net Receipts	Net Disbursements	Account Balances
Checking # *****9666	66,350.00	114,618.96	0.00
Checking # *****9667	0.00	0.00	0.00
Checking # *****9668	48,750.00	481.04	0.00
	<u>\$115,100.00</u>	<u>\$115,100.00</u>	<u>\$0.00</u>